

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re: : Chapter 11

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RCCI WIND DOWN COMPANY, INC., *et al.*, : Case Nos. 20-71970 thru 20-71974 (AST)

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Debtors. : (Jointly Administered)

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**ORDER (I) ESTABLISHING A BAR DATE FOR
FILING ADMINISTRATIVE CLAIMS ARISING FROM THE
PETITION DATE THROUGH AND INCLUDING DECEMBER 31, 2020
AND (II) APPROVING THE FORM AND MANNER OF NOTICE THEREOF**

Upon consideration of the motion (the “Motion”),¹ dated December 17, 2020, of the debtors and debtors in possession (collectively, the “Debtors”) for entry of an order pursuant to sections 105(a) and 503(a) of the Bankruptcy Code, (I) establishing the bar date for filing Administrative Claims arising from April 30, 2020 (the “Petition Date”) through and including December 31, 2020 and (II) approving the form and manner of notice thereof; and the Court having jurisdiction to consider the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and venue being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that the relief requested in the Motion is in the best interests of the Debtors’ estates, their creditors, and other parties in interest; and the Debtors having provided adequate and appropriate notice of the Motion under the circumstances; and after due deliberation and sufficient cause appearing therefor, it is **HEREBY ORDERED THAT:**

1. The Motion is granted to the extent provided herein.
2. Any and all Administrative Claims (except those specified herein) shall be

¹ Capitalized terms used but not defined herein have the meanings ascribed to such terms in the Motion.



asserted and determined in accordance with the following procedures:

- (a) 2020 Administrative Claims Bar Date: February 26, 2021 (the “2020 Administrative Claims Bar Date”) shall be the deadline to file _____ Administrative Claims that have accrued from the Petition Date through and including December 31, 2020. A party asserting an Administrative Claim for all claims arising from the Petition Date through and including December 31, 2020 shall file a Proof of Administrative Claim, in accordance with the procedures set forth herein, on or before the 2020 Administrative Claims Bar Date.
- (b) Claimants Exempt from Filing a Proof of Administrative Claim: The terms of this Order do not apply to the following persons or entities:
 - i. any party that has already properly filed an Administrative Claim with the Debtors’ claims and noticing agent, Kurtzman Carson Consultants LLC (“KCC”), which clearly sets forth the Debtor against which the party asserts an Administrative Claim;
 - ii. any holder of a claim that heretofore has been allowed by order of the Bankruptcy Court;
 - iii. any person or entity whose claim has been paid in full by the Debtors or the Buyer;
 - iv. any holder of a claim for which specific deadlines have previously been fixed by the Bankruptcy Court (including, for the avoidance of doubt, any holder of a claim arising under section 503(b)(9) of the Bankruptcy Code; and
 - v. Professionals retained by order of the Bankruptcy Court seeking interim or final compensation.
- (c) Notice of the 2020 Administrative Claims Bar Date: No later than three (3) days after entry of the 2020 Administrative Claims Bar Date Order, the Debtors shall serve notice of the 2020 Administrative Claims Bar Date, substantially in the form of the notice attached as Exhibit B to the Motion (the “2020 Administrative Claims Bar Date Notice”), together with a Proof of Administrative Claim, by (i) first class United States mail to each applicable entity’s last known address (as reflected in the Debtors’ books and records), postage prepaid, (ii) by priority United States mail to each applicable foreign entity’s last known address (as reflected in the Debtors’ books and records), postage prepaid, and (iii) additional notice by e-mail where possible, upon the following entities:
 - i. the United States Trustee;
 - ii. counsel to the Creditors’ Committee;
 - iii. all parties that have requested notice in these Chapter 11 Cases pursuant to Rule 2002;

- iv. persons or entities that previously filed proofs of claim in the Debtors' chapter 11 cases;
- v. all domestic and foreign creditors (as applicable), including those known or believed by the Debtors to hold an Administrative Claim;
- vi. parties to litigation with the Debtors;
- vii. state attorneys general and state departments of revenue for states in which the Debtors conduct business;
- viii. the Internal Revenue Service; and
- ix. known governmental units applicable to the Debtors' businesses to the extent not listed in the foregoing clauses.

(d) Procedures for Filing a Proof of Administrative Claim: Each claimant asserting an Administrative Claim shall file with Prime Clerk a separate proof of Administrative Claim, substantially in the form of the Proof of Administrative Claim attached as Exhibit C to the Motion, together with any supporting documentation (*e.g.*, invoices) against each Debtor that is allegedly liable for such Administrative Claim. The Debtors shall make the Proof of Administrative Claim available for downloading at KCC's website: www.kccllc.net/rubies. To be considered timely, the Administrative Claim must be actually received by KCC by no later than the 2020 Administrative Claims Bar Date.

(e) Delivery of the Proof of Administrative Claim: Delivery of the Proof of Administrative Claim shall be made to KCC by U.S. Postal Service mail or overnight delivery to:

RCCI WIND DOWN COMPANY, INC.,
f/k/a Rubie's Costume Company, Inc., *et al.*
c/o Kurtzman Carson Consultants LLC
222 N. Pacific Coast Highway, Suite 300
El Segundo, CA 90245

Any Administrative Claim sent in any other manner, including by facsimile, teletype, or electronic mail transmission, shall not be accepted.

3. The 2020 Administrative Claims Bar Date Notice and the Proof of Administrative Claim substantially in the forms attached as Exhibit B and Exhibit C to the Motion, respectively, are hereby approved and shall be deemed adequate and sufficient notice if served by the Debtors in accordance with the terms of this Order.

4. Any Administrative Claim that accrued from the Petition Date through and


including December 31, 2020 not timely filed in accordance with the terms of this Order shall be deemed disallowed and the claimant holding such Administrative Claim shall be forever barred, estopped, and enjoined from asserting such Administrative Claim against the Debtors or their estates, and from receiving any distribution on account of such Administrative Claim.

5. The Debtors are authorized and empowered to take such steps and perform such acts as may be necessary to implement and effectuate the terms of this Order. Entry of this Order is without prejudice to the right of the Debtors to seek a further order of this Court fixing a date by which holders of Administrative Claims not subject to the 2020 Administrative Claims Bar Date established herein must file such Administrative Claims or be barred from doing so. This Order should not be construed as an extension of any other bar date established by this Court.

6. Nothing contained in the Motion or this Order shall affect, modify, or limit the rights of the Debtors to challenge the allowance of any claim. The Debtors shall retain the right to dispute or assert offsets or defenses against any Administrative Claim as to the nature, amount, liability, classification, or otherwise. Nothing in this Order nor the filing of an Administrative Claim will be deemed to modify the provisions of the Sale Order or Purchase Agreement or the Buyer's obligations thereunder. Notwithstanding Bankruptcy Rules 6004, 7062, and 9014 or otherwise, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry. The Court retains jurisdiction with respect to all matters arising from or related to implementation of this Order.

Dated: January 21, 2021
Central Islip, New York




Alan S. Trust
Chief United States Bankruptcy Judge